

**PROVISO SUBCOMMITTEE
CRIMINAL JUSTICE
RECOMMENDATIONS FOR FY 2022-23
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES

47.15 DELETE (DNR: Non-Native Wildlife) Directs DNR to spend up to \$100,000 to develop and implement a program to encourage the voluntary surrender of Black and White Tegus. Directs that SC residents shall be eligible to receive a \$100 payment for each live Tegus surrendered to the department. Directs the department to establish a time period to accept the Tegus of not more than 120 days.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Requested by the Department of Natural Resources.

~~47.15. (DNR: Non-Native Wildlife) From the funds appropriated to the Department of Natural Resources, the department shall expend up to \$100,000 to develop and implement a program to encourage the voluntary surrender of Black and White Tegus (*Salvator merianae*, and its hybrids). South Carolina residents shall be eligible to receive a payment of \$100 for each live Black and White Tegus surrendered to the department and payment must be remitted in an expedited manner. The department shall provide for a time period to accept Black and White Tegus that shall not exceed one hundred twenty days.~~

47.wrr ADD (DNR: Water Recreational Resources Fund) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct funds collected by the department from the Water Recreational Resources Fund must be retained and used for the Fund's stated purpose. Allows the department to use a county's Water Recreational Resources Fund for the purchase of boats, boat trailers, outboard motors, and boating safety and rescue equipment. Funding applications must follow departmental guidelines with a recommendation from the county delegation. Requested by the Department of Natural Resources.

47.wrr. (DNR: Water Recreational Resources Fund) Funds collected during the current fiscal year by the department from the Water Recreational Resources Fund must be retained by the department and used for the stated purposes of the fund. In addition to all other uses allowed by statute, the department may use the Water Recreational Resources Fund of a county for the purchase of boats, boat trailers, outboard motors, and boating safety and rescue equipment used for law enforcement and water rescue. An application for funding must follow the established departmental approval process for awarding grants from this fund including the recommendation of the county delegation.

47.bmf ADD (Building Maintenance Carry Forward) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to allow the department to transfer any residual funds appropriated to headquarters building rent to an earmarked account at the end of the fiscal year. Directs that the funds must be expended for rent, maintenance, and capital improvements of the building. Directs the department to report the amount transferred and expenditures to the Chairmen of Senate Finance and House Ways and Means by October 1st. Requested by the Department of Natural Resources.

47.bmf. (Building Maintenance Carry Forward) Of the general funds in Sections 1 and 47 of Part 1A of this act, recurring funds were provided to the department. At the end of each fiscal year, the department may transfer any unexpended general fund balance remaining on the "Other Operating Expenses" line identified in the "Administration" program to an earmarked account to be carried forward by the department. Balances carried forward in this account must

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only be expended for rent, maintenance, and capital improvement needs in the headquarters building. The department must report to the Chairmen of the Senate Finance Committee and House Ways and Means Committee any amount transferred and expenditures made from the fund by October first.

SECTION 60 - E210 - PROSECUTION COORDINATION COMMISSION

60.4 **AMEND** (PCC: Carry Forward) Authorizes the solicitor’s office to carry forward any unexpended funds to be used for Commission on Prosecution Coordination operating expenses. **PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change “Fiscal Year 2020-21” to “the prior fiscal year.” Requested by the Prosecution Coordination Commission.

60.4. (PCC: Carry Forward) Any unexpended balance on June thirtieth of ~~Fiscal Year 2020-21~~ the prior fiscal year may be carried forward into the current fiscal year and expended for the operation of the Commission on Prosecution Coordination or the Offices of the Solicitor relating to operational expenses.

60.13 **CONFORM TO FUNDING / AMEND** (PCC: Intake and ~~Analysis~~ Early Assessment Funding) Directs that Intake and Analysis Programs funds be distributed in the amount of \$135,000 to each circuit that establishes, maintains, and annually reports certain information about the program. Directs that unexpended funds be remitted to the General Fund. **PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change “Intake and Analysis Programs” to “Intake and Early Assessment processes.” Deletes directive that each circuit establishes and maintains data. Deletes directive that unexpended funds be remitted to the General Fund. Requested by the Prosecution Coordination Commission.

60.13. (PCC: Intake and ~~Analysis~~ Early Assessment Funding) Funds appropriated and/or authorized for Intake and ~~Analysis Programs~~ Early Assessment processes shall be distributed at an amount of \$135,000 to each circuit that ~~establishes, maintains, and~~ annually reports information and data regarding its Intake and ~~Analysis Program~~ Early Assessment processes. ~~Funds not expended by the end of the current fiscal year shall be remitted to the General Fund.~~

SECTION 63 - K050 - DEPARTMENT OF PUBLIC SAFETY

63.8 **AMEND** (DPS: In-Car Camera Funding) Authorizes the department to establish an In-Car Video Camera Fund to assist in purchasing and maintaining in-car cameras. Directs the Public Safety Coordinating Council to oversee the fund and establish an application and disbursement of funds process. **PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change “Fiscal Year 2021-22” to “the current fiscal year.”

63.8. (DPS: In-Car Camera Funding) For ~~Fiscal Year 2021-22~~ the current fiscal year, from funds appropriated to and/or authorized for the Department of Public Safety, there is established within the department an “In-Car Video Camera Fund” for the purpose of assisting law enforcement agencies in purchasing and maintaining in-car video cameras and ongoing costs related to the maintenance and storage of data recorded by in-car video cameras.

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The Public Safety Coordinating Council shall oversee the fund and establish a process for the application for and disbursement of monies to law enforcement agencies. The council shall disburse the funds in a fair and equitable manner, taking into consideration the DUI enforcement activity of the law enforcement agencies, with priority given to those law enforcement agencies who prioritize DUI enforcement activity.

- 63.9 AMEND** (DPS: School Safety Program) Directs the department to hire certified law enforcement officers to serve as school resource officers for districts that lack adequate resources to hire a school resource officer, determined by the most recent index of taxpaying ability in the district. Provides for the requirements of the department and the districts. Allows unexpended funds to be carried forward and expended for equipment and training not to exceed \$70,000 per school resource officer. Directs the Department of Education to transfer any fund balance and FTE's in the program to DPS by August 15.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to direct districts to collaborate with local law enforcement when applying for funding. Allows carry forward funds to be used toward salaries and deletes the limit of \$70,000 to be expended for equipment and training per officer. Requires school district superintendents to report the numbers of resource officers instead of local law enforcement agencies. Deletes language transferring funds and FTES from the Department of Education to DPS. Requested by the Department of Public Safety.

63.9. (DPS: School Safety Program) Funds appropriated for the School Safety Program and School Resource Officers in this act shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making determinations of eligibility, the department shall use the most recent index of taxpaying ability as the district's indicator of ability to pay with districts of the lowest index of taxpaying ability receiving priority consideration. Districts, in collaboration with a local law enforcement agency of its choosing, must apply for funding through the department. In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that shall serve as a full time school resource officer. Unexpended funds may be carried forward and expended for salaries, equipment, and training in an amount not to exceed \$70,000 per school resource officer. Quarterly, ~~local law enforcement agencies~~ school district superintendents shall provide to the department the number of full and part-time school resource officers ~~hired by school districts and by schools, regardless of the funding source, that currently serve schools in their respective districts~~.

~~The Department of Education shall transfer any fund balance, along with any FTE'S in the program, to the Department of Public Safety by August 15. This balance must include any unexpended funds in the program from prior fiscal years.~~

SECTION 66 - N080 - DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES

- 66.3 DELETE** (DPPP: GED Learn and Earn Program) Establishes the GED Learn and Earn Program for the purpose of providing GED and GED Prep education to offenders. Authorizes the department to charge and be reimbursed for the cost of the program by the offenders enrolled in the program.

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PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Requested by the Department of Probation, Parole and Pardon Services.

~~66.3. (DPPP: GED Learn and Earn Program) From the funds appropriated in Part IA, the department may enter into agreements with statewide colleges, technical colleges, and school districts for the purpose of providing GED and GED Prep education to offenders. Offenders of the department enrolled in the program must repay the department the cost of the course and materials within six months of obtaining their GED.~~

SECTION 67 - N120 - DEPARTMENT OF JUVENILE JUSTICE

67.cff. ADD (DJJ: Carryforward Funds) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to carry forward and expend any General Fund balances and any cash or fund balances from the sources provided for agency operating and capital needs.

67.cff. (DJJ: Carryforward Funds) Notwithstanding any provision of state law, for Fiscal Year 2022-23, the Department of Juvenile Justice is authorized to carry forward and expend for agency operating and/or capital needs any General Fund balances and any cash or fund balances from the following sources: Law Enforcement Funding; Traffic Education Program App; Juvenile Detention Services; Joint Children's Committee; Court Fines-Detention Services; Dedicated Court Fines; and funds provided to the department in Fiscal Year 2021-22 for security fencing for Maple, Cypress, and Poplar and the fire alarm upgrade for the Birchwood Campus. For purposes of this provision, agency operating and/or capital needs includes the following items: (1) Staffing / Personnel Funding Needs; (2) Youth Services Training and Community Programs; (3) Technology Server Management and Application Modernization; (4) Physical Plant Maintenance and Upgrades; and (5) Projects on Fiscal Year 2021-22 Comprehensive Permanent Improvement Plan.